

Cable Communications Agency

CITY OF INDIANAPOLIS

WCTY Government Channel 16

RECEIVED

DEC -1 1997

FCC MAIL ROOM

Before the
Federal Communications Commission
Washington, D.C. 20554

DOCKET FILE COPY ORIGINAL

In the Matter of >

Telecommunication Services > CS Docket # 95-184
Inside Wiring

Customer Premises Equipment > MM Docket 92-260

In the Matter of >

Implementation of the Cable >
Television Consumer Protection
and Competition Act of 1992

Cable Home Wiring

November 20, 1997

To whom it may concern:

Thank you for your kind consideration in reviewing our comments pertaining to the issue of inside wiring.

Some months ago, the Indiana General Assembly tabled a House Bill that would have addressed this issue. They were concerned about infringing upon the rights of private property land owners. The City of Indianapolis is encouraged that this issue is being discussed before the FCC and we are hopeful that the end result will be a positive one for those living in multi-dwelling units (MDUs) seeking a competitive choice.

Our Agency administers the cable television franchises in Marion County, Indiana. As part of our duties, we are responsible for ensuring the rights of the cable TV consumer under FCC rules and regulations, and in particular, under the provisions of our local franchise agreements.

200 East Washington Street, City-County Building, Room G-19, Indianapolis, Indiana 46204
Office: (317) 327 - 4529 Fax: (317) 327 - 5399
Website Address: www.Indygov.org/cable
E-mail: cable@inetdirect.net

By virtue of the cable franchise, our Agency can mediate cable complaints and hold the cable operators accountable on numerous compliance issues that include aspects of customer service. Our franchising authority serves as a valuable, non-partial, third party to assist in the resolving of disputes and complaints. Our success rate in satisfactory mediation is nearly 100%.

Over the years, the Cable Communications Agency has received numerous complaints from those non-cable subscribers living in apartment or mobile home dwellings. Those residents have no choice in who delivers their video programming services. The complaints were usually along the lines of a desire to subscribe to cable TV, or that they were only receiving a few clear channels and that most were fuzzy to the point of not being able to make out the image or that months go by before a service call is acted upon. Perhaps the complaint was that they received about half of the channels that cable offers for about the same price. Unfortunately, our office has no jurisdiction to assist these people because the companies they subscribe to have no franchises with the City.

In the summer of 1994, our Agency facilitated ascertainment hearings in the community, as one of these apartment video service providers wished to apply for a cable franchise, at that time. The SMATV provider later withdrew its application when it was acquired by another company. Nevertheless, during these ascertainment hearings, (which solicited the residents to comment on the service provided by the apartment SMATV), time and again, the consensus was a desire to receive cable television by the city's cable franchise holders.

Residents complained again about terrible service, a lack of response from the SMATV provider's office to subscriber inquiries, poor channel reception and limited selection. In some cases, televisions were blown out due to the lack of grounding of the satellite dish serving the residents. The SMATV provider even admitted that it had only a couple of service technicians in which to serve the entire county.

The apartment landlords or management company are encouraged to maintain the status quo with these video service carriers (apartment SMATVs) by signing exclusive contracts. It is believed that the landlords receive monies or kickbacks from the incumbent satellite carriers and turn their backs on resident petitions that beg for the choice of a franchised cable company. Our Agency has seen this to be the case all too often.

The Cable Communications Agency supports allowing the cable television industry to compete in MDUs with no impedance as long as they adhere to local franchise agreements and applicable laws. This would be a pro-competitive approach and it is consistent with the 1996

Cable Communications Agency

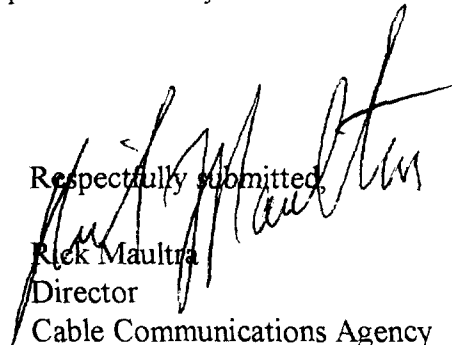
CITY OF INDIANAPOLIS

WCTY Government Channel 16

Federal Telecommunications Act that promotes a competitive environment. Give the residents a choice for their video service provider and an opportunity to choose a franchised cable company that works with the local franchising authority to settle disputes and satisfy customers.

Thank you for your time and consideration.

Respectfully submitted,



Rick Maultra

Director

Cable Communications Agency

cc: Dottie Hancock-Director/Indiana Cable &
Telecommunications Association
Jay Satterfield-General Manager/Time Warner
of Indianapolis
David Wilson-Area Vice President/Comcast
Dr. Beurt SerVaas-President/Indianapolis City-
County Council
Marion County Cable Franchise Board
Peggy Piety-Assistant Corporation Counsel

200 East Washington Street, City-County Building, Room G-19, Indianapolis, Indiana 46204

Office: (317) 327 - 4529

Fax: (317) 327 - 5399

Website Address: www.Indygov.org/cable

E-mail: cable@inetdirect.net